

## **REMARKS**

In response to the May 16, 2006 Office Action, Applicants respond to the Examiner's detailed action with the following remarks. Claims 1-23, 28, and 29 are pending in the application; Claims 16, 17, and 28 are withdrawn; and Claims 1-15, 18-23, and 29 are rejected. Claims 1, 18, and 29 are amended hereby.

### **Claim Rejections – 35 USC §112**

In response to the Examiner's rejection of Claims 1-15, 18-23, and 29 under 35 U.S.C. §112, second paragraph, Applicant has amended the independent Claims 1, 18, and 29 to refer to the door set forth in the preamble of each claim.

### **Claim Rejections – 35 USC §102**

In response to the Examiner's rejection of Claims 18-20 under 35 U.S.C. §102(e) as being anticipated by U.S. 3,271,919 (Olton), Applicant has amended Claim 18 such that "the door consists of planar surfaces that are not recessed or contoured proximate to the door reinforcing plate." "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Examiner points out that the edges of the door taught by Olton qualify as planar surfaces that are not recessed or contoured proximate to the portions covered by the door reinforcing plate. Applicant has amended Claim 18, however, to require that all the surfaces proximate to the door reinforcing plate are not contoured or recessed. Olton teaches door surfaces that are recessed proximate to the door reinforcing plate and thus does not teach all of the limitations of the claim. Applicant therefore respectfully submits that Claim 18 and all claims that depend therefrom, including Claims 19 and 20, are in condition for allowance.

### Claim Rejections – 35 USC §103

Responsive to the Examiner's rejection of Claims 1-3 and 7-10 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 5,566,509 (Long), Applicant has amended Claim 1 such that "the door consists of planar surfaces that are not recessed or contoured proximate to the door reinforcing plate." To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Olton teaches a door edge protector affixed to a door that is recessed proximate to the edge protector and Long teaches a door jamb reinforcement strip. The combination of the references does not teach or suggest a door that is not recessed or contoured proximate to the door reinforcing plate, as required by the amended Claim 1. Therefore, Applicant respectfully submits that Claim 1 and all claims dependent therefrom, including 2, 3, and 7-10, are in condition for allowance.

Responsive to the Examiner's rejection of Claims 1-3, 5-7, 9 and 12 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 6,691,466 (Childress), Applicant has amended Claim 1 such that "the door consists of planar surfaces that are not recessed or contoured proximate to the door reinforcing plate." To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Olton and Childress teach a door reinforcement assembly and a door edge protector, respectively, attached to doors that are recessed proximate to the door reinforcing plate. The combination of the references does not teach or suggest a door that is not recessed or contoured proximate to the door reinforcing plate, as required by the amended Claim 1. Therefore, Applicant respectfully submits that Claim 1 and all claims dependent therefrom, including 2, 3, 5-7, 9, and 12, are in condition for allowance.

Responsive to the Examiner's rejection of Claim 4 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 5,566,509 (Long) and further in view of U.S. 306,806 (Barnes), Applicant has amended Claim 1, from which Claim 4 depends, as described above. To establish *prima facie* obviousness of a claimed

invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Barnes teaches a door protector with flanges that reinforce the door “where it is weakened by said mortise” (line 37). It is not clear from the drawings or the description that the door is not mortised where the flanges engage the door. The combination of Olton and Long does not teach or suggest all the limitations of Claim 1 as described above and the addition of Barnes does not overcome these deficiencies – particularly that the door consists of planar surfaces that are not recessed or contoured proximate to the reinforcing plate. Applicant therefore respectfully submits that Claim 4, which depends from Claim 1, is in condition for allowance.

Responsive to the Examiner’s rejection of Claim 11 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 5,566,509 (Long) and further in view of U.S. 4,752,517 (Beitel), Applicant has amended Claim 1, from which Claim 11 depends, as described above. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Beitel teaches end caps that support plastic door panels wherein the foam material 30 is recessed to accommodate upright legs 42 and 44, as shown in Fig. 4. The combination of Olton and Childress does not teach or suggest all the limitations of Claim 1 as described above and the addition of Beitel does not overcome these deficiencies – particularly the requirement that the door is not recessed or contoured proximate to the reinforcing plate. Applicant therefore respectfully submits that Claim 11, which depends from Claim 1, is in condition for allowance.

Responsive to the Examiner’s rejection of Claim 13 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 6,691,466 (Childress) and further in view of U.S. 5,475,044 (Stein), Applicant has amended Claim 1, from which Claim 13 depends, as described above. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Stein simply teaches a silicone adhesive. The combination of Olton and Childress does not teach or suggest all the limitations of Claim 1 as described above and the

addition of Stein does not overcome these deficiencies. Therefore, Applicant respectfully submits that Claim 13 is in condition for allowance.

Responsive to the Examiner's rejection of Claims 1-3, 7-9, and 14 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 5,070,650 (Anderson), Applicant has amended Claim 1 such that "the door consists of planar surfaces that are not recessed or contoured proximate to the door reinforcing plate." To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Anderson teaches a door jamb reinforcing apparatus and does not teach a door that is not recessed or contoured proximate to a door reinforcing plate. Olton teaches a door edge protector affixed to a door that is recessed proximate to the door edge protector. Thus, the combination of Olton and Anderson does not teach or suggest all the limitations of Claim 1. Applicant therefore respectfully submits that Claim 1 and all claims dependent therefrom, including 2, 3, 7-9, and 14, are in condition for allowance.

Responsive to the Examiner's rejection of Claims 1-3, 7, and 15 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 5,737,878 (Raulerson, et al.), Applicant has amended Claim 1 such that "the door consists of planar surfaces that are not recessed or contoured proximate to the door reinforcing plate." To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Raulerson teaches a door frame guard and does not teach a door that is not recessed or contoured proximate to a door reinforcing plate. Olton teaches a door edge protector affixed to a door that is recessed proximate to the door edge protector. Thus, the combination of Olton and Raulerson does not teach or suggest all the limitations of Claim 1. Applicant therefore respectfully submits that Claim 1 and all claims dependent therefrom, including 2, 3, 7, and 15, are in condition for allowance.

Responsive to the Examiner's rejection of Claims 21 and 23 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 6,691,466 (Childress), Applicant has amended Claim 18, from which Claims 21 and 23 depend, as

described above. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Olton and Childress teach a door edge protector and reinforcement assembly, respectively, affixed to doors that are recessed proximate to the edge protector or reinforcement assembly. Thus, the combination of Olton and Childress does not teach or suggest all the limitations of Claim 18 – particularly that the door is not recessed or contoured proximate the door reinforcing plate. Applicant therefore respectfully submits that Claims 21 and 23, which depend from Claim 18, are in condition for allowance.

Responsive to the Examiner's rejection of Claim 22 under 35 U.S.C. 103(a) as being unpatentable over U.S. 3,271,919 (Olton) in view of U.S. 4,752,517 (Beitel), Applicant has amended Claim 18, from which Claim 22 depends, as described above. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Beitel teaches end caps that support plastic door panels wherein the foam material 30 is recessed to accommodate upright legs 42 and 44, as shown in Fig. 4. Olton does not teach or suggest all the limitations of Claim 18 as described above. Thus, the combination of Beitel with Olton does not teach or suggest all the limitations of the amended Claim 18 – particularly the requirement that the door is not recessed or contoured proximate to the reinforcing plate. Applicant therefore respectfully submits that Claim 22, which depends from Claim 18, is in condition for allowance.

Responsive to the Examiner's rejection of Claim 29 under 35 U.S.C. 103(a) as being unpatentable over U.S. 306,806 (Barnes) in view of U.S. 5,566,509 (Long) and U.S. 3,271,919 (Olton), Applicant respectfully disagrees. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Barnes teaches a door protector with flanges that reinforce the door "where it is weakened by said mortise" (line 37). It is not clear from the drawings or the description that the door is not mortised where the flanges engage the door (i.e. the outer surface portion and the inner surface portion of the door). Long, adding a reinforcing frame plate

does not overcome these deficiencies. Olton teaches a solid door that is recessed proximate to the door edge protector. Thus the combination of Barnes with Olton and Long does not teach all the limitations of Claim 29 – particularly that the door comprises planar surfaces that are not recessed or contoured at the outer surface portion and the inner surface portion covered by the door reinforcing plate. Applicant therefore respectfully submits that Claim 29 is in condition for allowance.

### **Response to Arguments**

Regarding the Examiner's comments on the planar surfaces, Applicant has amended Claims 1 and 18 such that the door does not include surfaces that are recessed or contoured proximate to the door reinforcing plate.

With regard to the Examiner's comments on Applicant's arguments for nonobviousness, Applicant respectfully submits that the arguments do not attack the references individually. The arguments simply point out that the references do not teach all the limitations of the claims. In other words, if neither of the references teaches a particular limitation, the combination of the references does not teach that limitation.

Applicants appreciate the opportunity to call the Examiner but believe that this amendment to the claims and the forgoing remarks fully address the issues raised by the Examiner. On the other hand, the Examiner is invited to call the undersigned attorney if he has any matters to address that will facilitate allowance of the application.

Applicants respectfully request favorable consideration and that a timely Notice of Allowance be issued in this case.

In the event that Applicant has overlooked the need for an extension of time, additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any changes be made to Deposit Account No.: 50-3010.

Appl. No. 10/619,154  
Resp. Dated July 17, 2006  
Reply to Office Action of May 16, 2006

Respectfully submitted,

HISCOCK & BARCLAY, LLP

By:

A handwritten signature in black ink, appearing to read 'W. M. Hall', written over a horizontal line.

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